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*Attorneys for All Defendants*

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

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FEDERAL TRADE COMMISSION, and UTAH  
DIVISION OF CONSUMER PROTECTION,

Plaintiffs,

vs.

NUDGE, LLC; RESPONSE MARKETING  
GROUP, LLC; BUYPD, LLC; BRANDON B.  
LEWIS; RYAN C. POELMAN; PHILLIP W.  
SMITH; SHAWN L. FINNEGAN; CLINT R.  
SANDERSON; DEAN R. GRAZIOSI, and  
SCOTT YANCEY

Defendants.

**CELEBRITY DEFENDANT'S  
MOTION FOR LEAVE TO FILE  
UNDER SEAL PORTIONS OF THE  
ANSWER TO THE SEALED FIRST  
AMENDED COMPLAINT**

Case No.: 2:19-cv-00867-DBB-DAO

Judge David B. Barlow

Magistrate Judge Daphne A. Oberg

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Pursuant to DUCivR 5-3 and the Court's January 20, 2021 Docket Text Order (ECF No. 194), Defendants Dean Graziosi and Scott Yancey ("Celebrity Defendants") move for permission to file under seal portions of the Celebrity Defendants' Answer to Plaintiffs' Sealed First Amended Complaint for Permanent Injunction and Other Equitable Relief (ECF No. 243) (the "Answer"). The basis for this motion is to comply with Magistrate Judge Furse's Order Granting in Part and Denying in Part Defendants to Keep Complaint, Motion for Temporary Restraining Order and Certain Exhibits to that Motion Under Seal (ECF No. 56) and the Court's December 3, 2020 Docket Text Order (ECF No. 185) in responding to the Plaintiffs' Sealed First Amended Complaint (ECF No. 173). The Nudge Defendants do not seek to seal any additional information in the Answer beyond the portions of the First Amended Complaint that are already filed under seal. The portions of the Answer that the Nudge Defendants filed under seal are highlighted pursuant to DUCivR 5-3(b)(1). *See* ECF No. 244.

DATED this 9th day of August, 2021.

Respectfully Submitted,

By: /s/ J. Douglas Baldridge  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 9th day of August, 2021, I caused a true and correct copy of the foregoing **CELEBRITY DEFENDANTS' MOTION FOR LEAVE TO FILE UNDER SEAL PORTIONS OF THE ANSWER TO SEALED FIRST AMENDED COMPLAINT** to be filed using the Court's ECF filing system which then caused the foregoing to be electronically served on the following counsel of record for Plaintiffs:

*Attorneys for Plaintiff Federal Trade Commission*

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*/s/ Lexi Cowley* \_\_\_\_\_

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

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FEDERAL TRADE COMMISSION, and UTAH  
DIVISION OF CONSUMER PROTECTION,

Plaintiffs,

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NUDGE, LLC; RESPONSE MARKETING  
GROUP, LLC; BUYPD, LLC; BRANDON B.  
LEWIS; RYAN C. POELMAN; PHILLIP W.  
SMITH; SHAWN L. FINNEGAN; CLINT R.  
SANDERSON; DEAN R. GRAZIOSI, and  
SCOTT YANCEY

Defendants.

**[PROPOSED] ORDER GRANTING  
CELEBRITY DEFENDANTS’  
MOTION FOR LEAVE TO FILE  
UNDER SEAL PORTIONS OF THE  
ANSWER TO THE SEALED FIRST  
AMENDED COMPLAINT**

Case No.: 2:19-cv-00867-DBB-DAO

District Judge David B. Barlow

Magistrate Judge Daphne A. Oberg

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Upon consideration of the Celebrity Defendants’ Motion for Leave to File Under Seal Portions of the Answer to the Sealed First Amended Complaint (“Motion”), and good cause appearing therefore;

**IT IS HEREBY ORDERED** that the Motion is **GRANTED**. The Celebrity Defendants’ Sealed Answer to Plaintiffs’ Sealed First Amended Complaint for Permanent Injunction and Other Equitable Relief (ECF No. 192) shall remain sealed.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

BY THE COURT:

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Daphne A. Oberg  
United States Magistrate Judge